



IPW \$ -

PATENT
Attorney Docket No. UM-08483

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nichole M. Weiss
Serial No.: 10/765,743
Filed: 01/27/2004
Entitled: **Orthotic Device and Methods of Use**
Group No.: 3743
Examiner: Doster-Greene

**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 5, 2006

By: *Jennifer B. Xistris*
Jennifer B. Xistris

Sir or Madam:

Enclosed please find an **Information Disclosure Statement** and Form PTO-1449, in the above-identified application, for filing in the U.S. Patent Office. A check is enclosed in the amount of \$180.00 to cover the fee for filing the Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: July 5, 2006

Robert A. Goetz

Robert A. Goetz
Registration No. 55,210
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 305
San Francisco, California 94105
608/218-6900

BEST AVAILABLE COPY



BEST AVAILABLE COPY

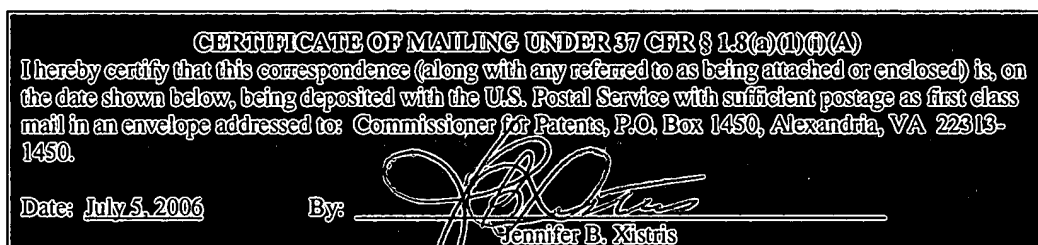
PATENT
Attorney Docket No. **UM-08483**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nichole M. Weiss
Serial No.: 10/765,743
Filed: 01/27/2004
Entitled: **ORTHOTIC DEVICE AND METHODS OF USE**
Group No.: 3743
Examiner: Doster-Greene

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir or Madam:

The citations listed below may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

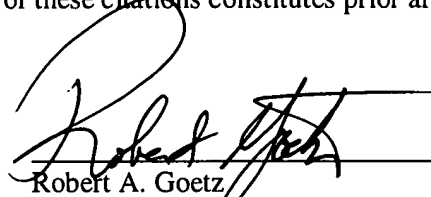
- 5,058,574 10/22/1991 Whole Document
- WO 92/00042 01/09/1992 Whole Document
- Bonutti PM, Windau JE, Ables BA, Miller BG. Static Progressive Stretch to Reestablish Elbow Range Of Motion. Clinical Orthopaedics 1994;303:128-134.
- Cohen E. Adjunctive Therapy Devices: Restoring ROM Outside of the Clinic. Physical Therapy Products, March 1995:10-13.

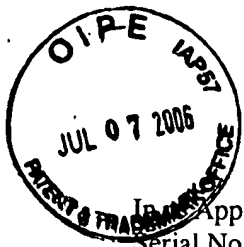
- Hotz M. Clinical Management of Soft Tissue Stiffness and Loss of Joint Motion. Inside Case Management 2002;8(3):11-12.
- Hotz M, Bonutti P, Cremens M, Gray T, Leo C, Beyers M. Joint Contracture Rehabilitation: Static Progressive Stretch. JBJS, Orthopaedic Transactions 1998-9;22(1).
- Jansen et al., Treatment of a Knee Contracture Using a Knee Orthosis Incorporating Stress Relaxation Techniques. Physical Therapy 1996;76:182-186
- Millett PJ, Johnson B, Carlson J, Krishnan S, Steadman R. Rehabilitation of the Arthrofibrotic Knee. American Journal of Orthopedics, November 2003:531-538.
- Schultz-Johnson K. Static Progressive Splinting. Journal of Hand Therapy, April-June 2002:163-178.
- Bonutti, P. et al., "Joint Contracture Rehabilitation: Static Progressive Stretch" Scientific Exhibit, American Academy of Orthopaedic Surgeons Meeting – Poster Presentation, March 1998.
- Donatelli, R. et al., "Using Static Progressive Stretch and Stress Relaxation in the Treatment of Glenohumeral Joint Adhesive Capsulitis," Orthopaedic Research Society Annual Meeting – Poster Presentation, February 2001.
- Gamage, T., et al., "The Use of Static Progressive Stretch on the Burn Joint Contracture," Podium Presentation at the American Burn Association Meeting, March 24-27, 1999.
- Green et al., Turnbuckle, Orthotic Correction of Elbow Flexion Contractures after acute injuries. J. Bone Joint Surg, 1970; 61A 1092-5.
- Shah MA, Lopez JK, Escalante AS. Green DP. Dynamic Splinting of forearm Rotational Contracture after Distal Radius Fracture. [Journal Article] Journal of Hand Surgery - American Volume 27(3):456-63 2002 May.
- Taylor et al., Viscoelastic Properties of Muscle Tendon Units - The Biomechanical Effects of Stretching, American Journal of Sports Medicine, vol 18#3 (1990).
- Light et al., A Low Load Prolonged Stretch vs. High Load Brief Stretch in Treating Knee Contractures, Physical Therapy, 64:330 (1984).

- Nicole M. Parent, et al, Forearm Rotation Stiffness: Efficacy of Non-Operative Management with Static Progressive Splinting, Paper #30B, Oct. 05, 2002 Synergy Annual Meeting.

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: July 5, 2006


Robert A. Goetz
Registration No. 55,210
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900



BEST AVAILABLE COPY

PATENT
Attorney Docket No.: UM-08483

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Nichole M. Weiss
Serial No.: 10/765,743
Filed: 01/27/2004
Entitled: ORTHOTIC DEVICE AND METHODS OF USE

Group No.: 3743
Examiner: Doster-Greene


AMENDMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 5, 2006

By: 
Jennifer B. Xistris

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below:

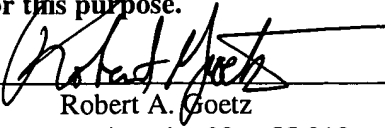
	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Extra		Rate	Additional Fee
Total Claims	12	-	12	0	X	\$50.00	\$0.00
Independent Claims	1	-	1	0	X	\$200.00	\$0.00

SUBTOTAL: \$0.00
Small Entity 50% Fee Reduction: - \$0.00

TOTAL AMOUNT DUE: \$0.00

1. A check in the amount of \$180.00 to cover the fee for filing an Information Disclosure Statement is attached.
2. The Commissioner is hereby authorized to charge any deficiency in the payment of the required fees, and/or credit any overpayment, to **Deposit Account No. 08-1290**. An originally executed duplicate of this transmittal is enclosed for this purpose.

Date: July 05, 2006


Robert A. Goetz
Registration No.: 55,210
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
-------	---	----	---

Complete if Known

Application Number	10/765.743
--------------------	------------

Filing Date	1/27/2004
-------------	-----------

First Named Inventor

Art Unit

Examiner Name

Attorney Docket Number	UM-08483
------------------------	----------

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
	2	WO 92/00042	01/09/1992	Anderson, L., et al	Whole Document	

Examiner
Signature

Date
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/765,743
		Filing Date	1/27/2004
		First Named Inventor	Nichole M. Weiss
		Art Unit	3743
		Examiner Name	Doster-Greene
Sheet 2	of 2	Attorney Docket Number	UM-08483

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	3	Bonutti PM, Windau JE, Ables BA, Miller BG. Static Progressive Stretch to Reestablish Elbow Range Of Motion. Clinical Orthopaedics 1994;303:128-134.	
	4	Cohen E. Adjunctive Therapy Devices: Restoring ROM Outside of the Clinic. Physical Therapy Products, March 1995:10-13.	
	5	Hotz M. Clinical Management of Soft Tissue Stiffness and Loss of Joint Motion. Inside Case Management 2002;8(3):11-12.	
	6	Hotz M, Bonutti P, Cremens M, Gray T, Leo C, Beyers M. Joint Contracture Rehabilitation: Static Progressive Stretch. JBJS, Orthopaedic Transactions 1998-9;22(1).	
	7	Jansen et al., Treatment of a Knee Contracture Using a Knee Orthosis Incorporating Stress Relaxation Techniques. Physical Therapy 1996;76:182-186	
	8	Millett PJ, Johnson B, Carlson J, Krishnan S, Steadman R. Rehabilitation of the Arthrofibrotic Knee. American Journal of Orthopedics, November 2003:531-538.	
	9	Schultz-Johnson K. Static Progressive Splinting. Journal of Hand Therapy, April-June 2002:163-178.	
	10	Bonutti, P. et al., "Joint Contracture Rehabilitation: Static Progressive Stretch" Scientific Exhibit, American Academy of Orthopaedic Surgeons Meeting – Poster Presentation, March 1998.	
	11	Donatelli, R. et al., "Using Static Progressive Stretch and Stress Relaxation in the Treatment of Glenohumeral Joint Adhesive Capsulitis," Orthopaedic Research Society Annual Meeting – Poster Presentation, February 2001.	
	12	Gamage, T., et al., "The Use of Static Progressive Stretch on the Burn Joint Contracture," Podium Presentation at the American Burn Association Meeting, March 24-27, 1999.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application Number		10/765,743
	Filing Date		1/27/2004
	First Named Inventor		Nichole M. Weiss
	Art Unit		3734
	Examiner Name		Doster-Greene
	Attorney Docket Number		UM-08483
Sheet	3	of	3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	13	Green et al., Turnbuckle, Orthotic Correction of Elbow Flexion Contractures after acute injuries. J. Bone Joint Surg, 1970; 61A 1092-5.	
	14	Shah MA, Lopez JK, Escalante AS. Green DP. Dynamic Splinting of forearm Rotational Contracture after Distal Radius Fracture. [Journal Article] Journal of Hand Surgery - American Volume 27(3):456-63 2002 May	
	15	Taylor et al., Viscoelastic Properties of Muscle Tendon Units - The Biomechanical Effects of Stretching, American Journal of Sports Medicine, vol 18#3 (1990)	
	16	Light et al., A Low Load Prolonged Stretch vs. High Load Brief Stretch in Treating Knee Contractures, Physical Therapy, 64:330 (1984)	
	17	Nicole M. Parent, et al, Forearm Rotation Stiffness: Efficacy of Non-Operative Management with Static Progressive Splinting, Paper #30B, Oct. 05, 2002, Synergy Annual Meeting	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.